



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/326,035	06/04/1999	BRADLEY CAIN	2204/157	3619

2101 7590 08/15/2002

BROMBERG & SUNSTEIN LLP  
125 SUMMER STREET  
BOSTON, MA 02110-1618

EXAMINER

ZHEN, LI B

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 08/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/326,035

Applicant(s)

CAIN ET AL.

Examiner

Li B. Zhen

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 June 1999.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \*   c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 3, 5 – 7, 10, 11, 13 – 15, 17 – 19, 22, 23, 25 – 27, 29 – 31, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,517,636 to DeHart.

As to claims 1, DeHart teaches (column 5, lines 65 – 67; column 6, lines 1 – 40) forwarding a notify message to the second application (OPEN\_SESSION procedure), and establishing a path between the first and second application (application which uses this invention may communicate with other applications). As to the first and second application ascertaining path data, DeHart teaches a method the first application uses to ascertain path data (GET\_SESSION\_INFO) but does not specify the second application ascertaining path data. It would have been obvious that second application would have to ascertain path data as well in order for the applications to use the same path to communicate.

As to claim 13, this is an apparatus claim that corresponds to method claim 1; note the rejection of claim 1 above, which also meets this claim.

As to claim 25, this is product claim that corresponds to method claim 1; note the rejection of claim 1 above, which also meets this claim.

Art Unit: 2151

As to claims 2, 3, 14, 15, 26, and 27, DeHart teaches (column 6, lines 13 – 25) forwarding a reply message to the first application (OPEN\_SESSION indicates success) and the first application ascertaining the data path (process calls GET\_SESSION\_INFO 104).

As to claims 5, 17, and 29, DeHart teaches (column 4, lines 65 – 67; column 5, lines 1 – 8) a configuration file (database) that includes path data.

As to claim 6, 18, and 30, see claim 1.

As to claim 7, 19, and 31, DeHart teaches (column 4, lines 65 – 67; column 5, lines 1 – 8) a path function (manager 40, Fig. 1).

As to claims 10, 11, 22, 23, 34, and 35, DeHart teaches (column 2, lines 1 – 31) executing programs (running programs).

3. Claims 4, 16, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeHart in view of U.S. Patent No. 5,539,886 to Aldred.

As to claims 4, 16, and 28, DeHart does not teach forwarding ready messages.

Aldred teaches (column 31, lines 1 – 20) ready messages (SHARE\_CONFIRMED). It would have been obvious to apply ready messages as taught by Aldred to the invention of DeHart because it would allow the connected applications to notify each other that they are ready to start communications.

4. Claims 8, 9, 20, 21, 32, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeHart in view of U.S. Patent No. 6,286,047 to Ramanathan.

As to claim 8, 20, and 32, DeHart does not teach a monitoring function for detecting that an application has been added to the platform.

Ramanathan teaches (column 3, lines 45 – 67; column 4, lines 10 – 41) a monitoring function (discovery system) for detecting that an application has been added (in the first phase of discover, the services and service elements are detected). It would have been obvious to apply a monitoring function as taught by Ramanathan to the invention of DeHart because it would detect the addition of new applications.

As to claim 9, 21, and 33, an application would obviously be loaded into volatile memory when is executing.

5. Claims 12, 24, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeHart in view of U.S. Patent No. 6,360,250 to Anupam.

As to claim 12, 24, and 36, DeHart teaches (column 3, lines 5 – 25) a path including channels but does not specify channel handler.

Anupam teaches (column 2, lines 5 – 20) a handler (event handlers) to each channel (communication channel) and each handler processing messages in its assigned channel. It would have been obvious to apply a channel handler as taught by Anupam to the invention of DeHart because channel handlers would provide independent communication channel between applications.

Art Unit: 2151

***Conclusion***

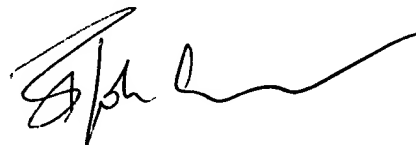
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (703) 305-3406. The examiner can normally be reached on Mon - Fri, 8am - 4:30pm.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Li B. Zhen  
Examiner  
Art Unit 2151

lbz  
August 5, 2002

A handwritten signature in black ink, appearing to read 'St. John', followed by a long, horizontal, wavy line.

ST. JOHN COURTENAY III  
PRIMARY EXAMINER